

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-25 remain pending, wherein claims 8-10, 12 and 16 have been amended.

Claims 8-13 and 16-20 are rejected under 35 U.S.C. § 112, second paragraph for indefiniteness. This ground of rejection is respectfully traversed.

Although Applicant respectfully submits that the claims are definite, in order to expedite allowance of this application, the claims have been amended to address the issues raised in the Office Action. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claims 8-25 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0093216 to Akiyama ("Akiyama"). This ground of rejection is respectfully traversed.

Akiyama does not anticipate Applicant's claim 8 because Akiyama does not disclose all of the elements of this claim. For example, Akiyama does not disclose "accessing, by the storing or updating system, vehicle characterizing data." Moreover, Akiyama does not disclose "reading out, by the storing or updating system, from a plurality of control unit data stored on the data carrier, control unit data for a vehicle indicated by means of the vehicle characterizing

data or for its control units, for storing and/or updating.” Akiyama also does not disclose that “the data carrier has stored therein a storing and/or updating instruction for storing or updating sequence control in said microprocessor.”

Akiyama discloses an IC card 10 that stores position data of a destination, as well as discount coupon data 12b. A navigation system reads the destination data, guides the vehicle along a route, and when the vehicle arrives at the destination displays additional information related to the discount coupon data 12b. (Figure 4).

Akiyama does not disclose that IC card 10 includes “vehicle characterizing data”, and accordingly, cannot disclose accessing such data by a storing or updating system or reading out control unit data indicated by the vehicle characterizing data as recited in Applicant’s claim 8. Moreover, Akiyama does not disclose that IC card 10 stores “a storing and/or updating instruction for storing or updating sequence control in said microprocessor,” as recited in claim 8.

The Office Action only describes what is disclosed by Akiyama, without explaining its relevance to Applicant’s claims. Accordingly, if this ground of rejection is maintained, Applicant respectfully requests that the next communication from the Patent Office identify which elements of Akiyama correspond to which elements of Applicant’s claim 8.

Claims 9-13 and 15 are patentably distinguishable over Akiyama by virtue of their dependency from claim 8. These claims also recite additional subject matter that is not disclosed by Akiyama. For example, Akiyama does not disclose “wherein one of a vehicle identification number and data characterizing the control unit data of a corresponding vehicle are stored in a computer data bank” as recited in claim 13.

Akiyama does not anticipate claim 14 because Akiyama does not disclose that “the data processor is also coupled in data communication with said control unit via a data bus system in said vehicle, and communicates said control unit data to said control unit via said data bus system in accordance with instructions read from said data carrier, for storing and/or updating sequence control in said data processor.”

Claim 25 is patentably distinguishable over Akiyama at least by virtue of their dependency from claim 14.

Akiyama does not anticipate claim 16 because Akiyama does not disclose that “the control unit data includes program code for sequence control or characteristic diagram control of the control unit.”

Claims 17-20 are patentably distinguishable over Akiyama at least by virtue of their dependency from claim 16.

Akiyama does not anticipate claim 21 because Akiyama does not disclose “a high speed data link which couples said control unit with said data processor device and with a plurality of additional control units which collectively form the network of control units in said vehicle.” Moreover, Akiyama does not disclose that “said data processor device is programmed to cause said interface device to read selected control unit data from a memory unit coupled in communication with said interface device, and to communicate said selected control unit data to said control unit via said high speed data link.”

Claims 22-24 are patentably distinguishable over Akiyama at least by virtue of their dependency from claim 21.

For at least those reasons stated above, it is respectfully requested that the rejection of claims 8-25 as being anticipated by Akiyama be withdrawn.

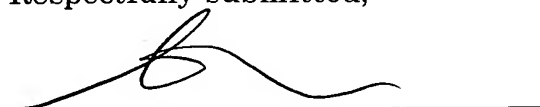
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080437.53242US).

Respectfully submitted,

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